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PTO/SB/26 (09-04)
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## Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information united it displays a valid OMB control number. TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A "PRIOR" PATENT 578582001721 in re Application of: Jonethan B. ROTHBARD et al. Application No.: 10/083.960 Filed: February 25, 2002 COMPOSITIONS AND METHODS FOR ENHANCING DRUG DELIVERY ACROSS AND INTO OCULAR TISSUES The owner, Cellgate, Inc. 100 , of percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the electrory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 8,669,951 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the heterit application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantes, its successors or assigns. in making the above discisimer, the owner does not discisim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 164 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal discisimer," in the event that said prior patent expires for failure to pay a maintenance fee; is held unenforceable: is found invalid by a court of compatent jurisdiction; is electricity disclaimed in whole or terminally disclaimed under 37 CFR 1,321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the copiration of its full stabutory term as presently abortaned by any terminal discissioner. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I heraby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that within false statements and the like so made are punishable by fine or imprisorment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeoperdize the validity of the application or any patent issued thereon. The undereigned is an attorney or agent of record, Reg. No. Edward F. Schnipper, M.D. Typed or printed name Telephone Number X Terminal disclaimer fee under 37 CFR 1.20(d) is included. \*Statement under 37 CFR 3,73(b) is required if terminal discipliner is signed by the assignee (owner). Form PTO/SE/86 may be used for making this certification. See MPEP § 324.

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING	Docket Number (Optional)
REJECTION OVER A "PRIOR" PATENT	578582001721
In re Application of: Jonathan B. ROTHBARD et al.	
Application No.: 10/083,960	
Filed: February 25, 2002	
FOT. COMPOSITIONS AND METHODS FOR ENHANCING DRUG DELIVE OCULAR TISSUES	RY ACROSS AND INTO
OVODAL HOSOER	
The owner, Celigate, Inc.	400 Internal in the
instant application hereby disclaims, except as provided below, the terminal part of the statutory	100 percent interest in the
inclant application which would extend beyond the expiration date of the full statutory term of prior	restant No. 6.593.292
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by any terminal disciplinet. The owner hereby agrees that any coloret so gramed on the instant prolication shall be enforceable.	
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on the instant application and is binding upon the grantee, its successors or assigns.	
in making the above disclaimer, the owner does not disclaim the terminal part of the term of any petent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 184 and 173 of the prior	
person. The term of seal prior petent is presently shortened by any terminal discisioner," in the event that said prior patent is later.	
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ts held unembrosable;	
Is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1,321;	
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is retained; or	• •
is in any manner terminated prior to the expiration of its full statutory term as presently shorts	med by any terminal discissmer,
Check either box 1 or 2 below, if appropriate.	
1. X For submissions on behalf of a business/organization (e.g., corporation, partnership, etc.), the undersigned is empowered to act on bahalf of the business/organization.	university, government agency,
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information	
and positer are believed to be true; and further that these statements were made with the knowledge that within folia embraces.	
and the like so made are punishable by fine or imprisoranemt, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
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2: The undersigned is an atturney or agent of record. Reg. No.	<del></del> , , ,
Columb & Admin	
Laured of Mary	7/4/06
Signature //	Date
Edward F. Schnipper, M.D.	
Typed or printed name	
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	Telephone Number
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Form PTO/SB/96 may be used for making this cartification. See MPEP 8 324.	
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U.S. Petent and Thademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Prepared Reduction Act of 1995, no prepare are required to respond to a potention of interpation unless it displays a valid OMS central number. Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL COUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION 578582001721 In re Application of: Jonathan B. ROTHBARD et al. 10/083,960 Application No.: Filed: February 25, 2002 COMPOSITIONS AND METHODS FOR ENHANCING DRUG DELIVERY ACROSS AND INTO OCULAR TISSUES Celigate, Inc. The owner, 100 percent interest in the instant application hereby discisims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any 10/740,365 no belft , patent granted on pending reference Application Number December 17, 2003 param grame on pointing reterance Application from its firm is defined in 35 U.S.C. 164 and 173, and as the term is desprised on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the reference application are commonly owned. This agreement rune with any patent granted on the instant application and is binding upon the grantee, its successors or easigns. in making the above discisimer, the owner does not discisim the terminal part of any potent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 164 and 173 of any patent granted on said reference application, "so the term of any petent granted on said reference application may be shortened by any terminal disclaimer fied prior to the grant of any potent on the pending reference application," in the event that, any such patents or the pending reference application; expires for falture to pay a matternance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a resommination certificate, is reissued, or is in any master terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful tales statements and the libe to made are purceivable by tine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record. Reg. No. 4/06 Edward F. Schnipper, M.D. Typed or printed name Telephone Number X Terminal discipliner fee under 37 CFR 1.20(d) is included. "Statement under \$7 CFR 3.73(b) is required if terminal discisioner is signed by the assigned (owner). Form PTO/SB/98 may be used for making this statement. See MPEP 6 324.